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August 22, 2022

**By ECF**

Honorable Vera M. Scanlon  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re: Government Employees Insurance Co. v. Errol C. Mallett, M.D., et al.  
Docket No.: 1:22-cv-03661-KAM-VMS**

Dear Magistrate Judge Scanlon:

As the Court is aware, we represent Plaintiffs ("GEICO" or Plaintiffs") in the above-captioned proceeding. With the consent of and newly retained counsel for Defendants Errol C. Mallett, M.D., Errol C. Mallett Medical, P.C., and 334 Grand Concourse Medical, P.C. (collectively, "Defendants", with Plaintiffs, the "Parties"), Plaintiffs submit this correspondence regarding this Wednesday's August 24, 2022, telephone Conference.

Plaintiffs initially moved for expedited discovery to determine the identities of the John Doe Defendants on July 29, 2022, at a time when the Defendants did not appear, and were in default. See D.E. 12-16. Now that Defendants have appeared (see D.E. 20) and have requested an extension of time to answer the Complaint (see D.E. 21), the Parties request that the Court convert the August 24, 2022 conference into an Initial Conference, which will *moot* Plaintiffs' previous request as discovery will proceed within the confines of F.R.C.P. 26. Should the Court convert the upcoming conference to an initial conference, the Parties have enclosed a Joint Proposed Case Management Plan in accordance with the Court's Individual Rules that the Parties will be prepared to discuss.

We appreciate the Court's attention to this matter.

Respectfully submitted,

RIVKIN RADLER LLP

*Michael Vanunu*

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cc: All Counsel of Record via ECF